

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:21-cv-00270-MR-WCM

RUPA VICKERS RUSSE)
)
 Plaintiff,)
)
 v.)
)
 CINDIE HARMAN)
)
 Defendant.)
_____)

ORDER

This matter is before the Court on Defendant's Motion to Compel, filed on November 7, 2022 (the "First Motion to Compel," Doc. 50); Defendant's Motion to Compel, filed on November 18, 2022 (the "Second Motion to Compel," Doc. 53); Plaintiff's Motion to Join Scalable Commerce, LLC and Kidslivesafe.com (the "Motion to Join," Doc. 59); and certain oral motions made during a hearing on December 9, 2022.

The undersigned ruled orally on the Motions during the December 9 hearing. This Order memorializes those rulings and incorporates by reference the reasons for them, as stated on the record.

IT IS ORDERED THAT:

1. The First Motion to Compel (Doc. 50) is **GRANTED IN PART** and **DENIED IN PART**, as follows:
 - a. The Motion is **DENIED** with respect to Defendant's request for

an order compelling supplemental responses to Interrogatory No. 11 and Request for Production No. 17.

b. The Motion is **GRANTED** with respect to Defendant's request for an order compelling supplemental responses to Requests for Production Nos. 24, 25, and 20, and Plaintiff is directed to produce complete responses to those requests on or before **December 23, 2022**.

c. Defendant's alternative request for an Order compelling Plaintiff to execute Defendant's proposed HIPAA authorization is **DENIED**. Defendant's second alternative request, which sought authorization to issue third party subpoenas, is **DENIED AS MOOT**, as that request was withdrawn by Defendant.

2. The Second Motion to Compel (Doc. 53) is **GRANTED**, and Plaintiff is directed to produce the complete file of her expert witness, Phaedra Xanthos, on or before **December 23, 2022**.

3. The Motion to Join (Doc. 59) is **DENIED**.

4. Plaintiff's oral motion for an additional protective order relative to certain information to be produced is **DENIED**.

5. Defendant's unopposed oral motion seeking the extension of the deadline to file dispositive motions, if any, is **GRANTED**, and said

deadline is **EXTENDED** through and including **January 6, 2023**. All other provisions of the Pretrial Order and Case Management Plan (Doc. 35), including the May 8, 2023 trial setting, remain in effect. The parties are advised that no further extensions of the dispositive motions deadline will be allowed absent extraordinary circumstances and that they should plan to complete the briefing of any such motions within the timeframes set by the Local Rules and without the extension of the response/reply deadlines.

Signed: December 9, 2022

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

